

110TH CONGRESS
1ST SESSION

S. 2105

To provide for the establishment of the Federal Health Care Board.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2007

Mr. HAGEL introduced the following bill; which was read twice and referred
to the Committee on Health, Education, Labor, and Pensions

A BILL

To provide for the establishment of the Federal Health Care
Board.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Health Care
5 Board Act of 2007”.

6 **SEC. 2. FEDERAL HEALTH CARE BOARD.**

7 (a) FEDERAL HEALTH CARE BOARD.—

8 (1) ESTABLISHMENT.—

9 (A) IN GENERAL.—There is established an
10 independent agency in the executive branch of
11 the United States Government to be known as

1 the Federal Health Care Board (in this section
2 referred to as the “Board”).

3 (B) COMPOSITION.—The Board shall be
4 composed of—

5 (i) the members of the Board of Gov-
6 ernors described in paragraph (3); and

7 (ii) the members of the 12 Regional
8 Boards described in paragraph (4)(B).

9 (2) DUTIES OF BOARD.—

10 (A) ACCESS, QUALITY, AND COST.—The
11 Board shall—

12 (i) ensure that Americans have access
13 to health insurance and provide certain
14 basic facts about health care services prior
15 to receiving the care;

16 (ii) ensure providers are delivering
17 safe, evidence-based, high quality care, and
18 are transparent about pricing through dis-
19 closure of actual costs;

20 (iii) demand transparency for disclo-
21 sure of actual costs and pricing from pro-
22 viders and payers through an information
23 clearinghouse;

24 (iv) establish—

1 (I) a national standard for a
2 basic health insurance plan, including
3 a basic minimum policy and the re-
4 gional cost for such policy;

5 (II) a national protocol and
6 standard for secure, universal, and in-
7 dividual electronic medical record;

8 (III) loan forgiveness programs
9 for health care providers who serve in
10 underserved areas;

11 (IV) scholarship programs for
12 health care providers who serve in un-
13 derserved areas;

14 (V) a national standard for pub-
15 lic health services, including safety net
16 providers; and

17 (VI) model dispute resolution
18 procedures for malpractice claims that
19 States may adopt; and

20 (v) carry out the activities as provided
21 under paragraph (4).

22 (B) MONITORING.—The Board shall mon-
23 itor progress toward the objectives identified in
24 subparagraph (A).

25 (3) BOARD OF GOVERNORS.—

1 (A) NUMBER.—The Board of Governors
2 shall be composed of 12 members who shall be
3 appointed by the President with the advice and
4 consent of the Senate, of whom 1 shall be ap-
5 pointed from each of the 12 regions described
6 in paragraph (4)(A). The President shall ap-
7 point individuals to serve on the Board of Gov-
8 ernors not later than 180 days after the date
9 of enactment of this Act.

10 (B) TERMS.—

11 (i) IN GENERAL.—A member of the
12 Board of Governors shall be appointed for
13 a term of 14 years.

14 (ii) LIMITATION.—A member of the
15 Board of Governors shall not be eligible for
16 reappointment if such individual served a
17 full term of 14 years.

18 (C) CHAIRPERSON; VICE-CHAIRPERSON.—

19 (i) IN GENERAL.—The President shall
20 appoint, with the advice and consent of the
21 Senate, 1 member of the Board of Gov-
22 ernors to be Chairperson of the Board, and
23 1 member of such Board to be Vice-Chair-
24 person of the Board.

1 (ii) TERM.—A member appointed as
2 Chairperson or Vice-Chairperson under
3 subclause (I) shall serve as Chairperson or
4 Vice-Chairperson for a term of 4 years.

5 (D) VACANCIES.—

6 (i) IN GENERAL.—A vacancy on the
7 Board of Governors shall be filled in the
8 same manner in which the original ap-
9 pointment was made and shall be subject
10 to any conditions which applied to the
11 original appointment.

12 (ii) FILLING UNEXPIRED TERM.—An
13 individual appointed to fill a vacancy shall
14 be appointed for the unexpired term of the
15 members replaced and may be reappointed
16 to serve a full 14-year term.

17 (E) SELECTION.—The members of the
18 Board of Governors shall be individuals with
19 significant health care expertise, including ex-
20 pertise in clinical health care, health care qual-
21 ity research, public health, health care research,
22 purchaser organizations, rural health care, the
23 uninsured, chronic disease management, long-
24 term care, nursing, primary care, vision care,

1 dental care, mental health care, and health care
2 higher education.

3 (4) REGIONAL BOARDS.—

4 (A) ESTABLISHMENT.—Not later than 1
5 year after the appointment of the initial mem-
6 bers of the Board of Governors, the Board of
7 Governors shall establish 12 regions of the
8 United States.

9 (B) REGIONAL BOARDS.—

10 (i) IN GENERAL.—In each of the 12
11 regions established under subparagraph
12 (A), there shall be established a Regional
13 Board. Each Regional Board shall be
14 based in a major United States city.

15 (ii) COMPOSITION.—Each Regional
16 Board shall be composed of 8 members
17 who shall be—

18 (I) health care experts; and

19 (II) appointed by the members of
20 the Board of Governors.

21 (iii) TERM.—A member of a Regional
22 Board shall be appointed for a term of 8
23 years.

24 (iv) DUTIES OF REGIONAL BOARDS.—
25 Each Regional Board shall provide the

1 Board of Governors with considerations
2 that are relevant to the population served
3 by such Regional Board.

4 (5) CONTRACTING AUTHORITY.—Subject to the
5 availability of funds, the Board may enter into con-
6 tracts and make other arrangements, as may be nec-
7 essary to carry out the duties described in paragraph
8 (2).

9 (6) STAFF.—Upon the request of the Board,
10 the President may detail, on a reimbursable basis,
11 any of the personnel of the Department of Health
12 and Human Services, including the National Insti-
13 tutes of Health, the Health Resources and Services
14 Administration, the Agency for Healthcare Quality
15 and Research, and the Centers for Medicare & Med-
16 icaid Services, to the Board to assist in carrying out
17 this subsection.

18 (7) REPORTS TO CONGRESS.—Not later than 1
19 year after the establishment of the Board, and annu-
20 ally thereafter, the Board shall submit a report to
21 Congress. Each such report shall include—

22 (A) an inventory of recommendations for
23 improved coordination and integration of policy
24 and programs;

1 (B) an assessment of achievement of the
2 objectives identified under paragraph (2) and
3 recommendations for realizing such objectives;
4 and

5 (C) recommendations regarding Federal
6 regulations or administrative policies.

7 (b) APPROPRIATION.—

8 (1) IN GENERAL.—Out of funds in the Treas-
9 ury not otherwise appropriated, there are appro-
10 priated to carry out this section such sums as may
11 be necessary for the period of fiscal years 2008
12 through 2012.

13 (2) AVAILABILITY.—Funds appropriated under
14 paragraph (1) shall remain available for expenditure
15 through fiscal year 2012.

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